



IPW

PATENT
ATTORNEY DOCKET NO.: 040894-7167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Toshio SHIMIZU et al.) Confirmation No.: 3575
Application No.: 10/522,178) Group Art Unit: 3721
Filed: January 24, 2005) Examiner:
For: STAPLER AND CARTRIDGE)

U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in a European Search Report August 18, 2005 issued in the corresponding European application. A copy of the European Search Report is enclosed for the Examiner's consideration. Copies of the listed non-U.S. documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

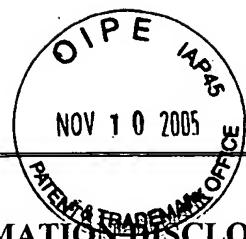


By:

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Dated: November 10, 2005

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 PAGE 1 of 1				Attorney Docket No. 040894-7167		Application No. : 10/522,178	
				Applicants: Toshio SHIMIZU et al.			
				Filing Date: January 24, 2005		Group Art Unit: 3721	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
		1,859,951	May 24, 1932	Blevney			
		US 6,193,126 B1	Feb. 27, 2001	Lee			
		5,038,992	Aug. 13, 1991	Shiang et al.			
		4,716,813	Jan. 5, 1988	Prudencio			
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>
		DE 44 34 513 C 1	Aug. 31, 1995	Germany			YES
		EP 0 597 782 A1	May 18, 1994	Europe			NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
Examiner				Date Considered			
Examiner:		Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.					